

# EXHIBIT 2

**Klaiber, James R.**

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**From:** Klaiber, James R.  
**Sent:** Thursday, May 13, 2021 6:12 PM  
**To:** Bill Hartselle  
**Cc:** James F. McDonough, III; Michael McLaughlin; O'Connor, Suzanne; Taylor, Justin; Jonathan Miller; Dabney, James W.; Russo, Lynn; Polka, Michael; Klaiber, James R.  
**Subject:** Re: Squarespace / DataCloud

Bill,

Your clarification is consistent with our understanding, and we assume it will be reflected in the draft stipulation.

Regards,

Jim

**James R. Klaiber** | Counsel

**Hughes Hubbard & Reed LLP**

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On May 13, 2021, at 5:04 PM, Bill Hartselle <bhartselle@ipigrp.com> wrote:

**CAUTION: This email was sent by someone outside of the Firm.**

Jim:

Your understanding is correct, with one clarification about your second bullet point. DataCloud won't seek leave to add additional patents to the case. It may have to conform its pleadings as the litigation moves forward so there may be amendments required, but DataCloud won't add more patents to the suit after its June 11 extension passes.

Please confirm that this works and we'll have DataCloud's counsel prepare the filing.

Regards,

Bill

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**From:** Klaiber, James R. <james.klaiber@hugheshubbard.com>  
**Sent:** Thursday, May 13, 2021 12:38 PM  
**To:** Bill Hartselle <bhartselle@ipigrp.com>  
**Cc:** James F. McDonough, III <jmcdonough@hgdllawfirm.com>; Michael McLaughlin <mmclaughlin@ipigrp.com>; O'Connor, Suzanne <Suzanne.O'Connor@hugheshubbard.com>; Taylor, Justin <justin.taylor@hugheshubbard.com>; 'Jonathan Miller' <jmiller@hgdllawfirm.com>; Dabney, James W. <james.dabney@hugheshubbard.com>; Russo, Lynn <lynn.russo@hugheshubbard.com>; Polka, Michael <michael.polka@hugheshubbard.com>; Klaiber, James R.

<james.klaiber@hugheshubbard.com>

**Subject:** RE: Squarespace / DataCloud

Bill,

As we understand it, DataCloud is proposing the following:

- DataCloud's last day to amend its complaint will be extended to Friday, June 11;
- DataCloud stipulates that it will not seek leave for any further amendment to its complaints; and
- Squarespace's last day to respond to DataCloud's amended complaint will be Monday, July 26.

If our understanding is correct, than Squarespace agrees to your proposal; please provide the stipulation papers for our review.

Regards,

Jim

**James R. Klaiber** | Counsel

**Hughes Hubbard & Reed LLP**

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**From:** Bill Hartselle <[bhartselle@ipigrp.com](mailto:bhartselle@ipigrp.com)>

**Sent:** Wednesday, May 12, 2021 4:28 PM

**To:** Klaiber, James R. <[james.klaiber@hugheshubbard.com](mailto:james.klaiber@hugheshubbard.com)>

**Cc:** James F. McDonough, III <[jmcdonough@hgdllawfirm.com](mailto:jmcdonough@hgdllawfirm.com)>; Michael McLaughlin <[mmclaughlin@ipigrp.com](mailto:mmclaughlin@ipigrp.com)>;

O'Connor, Suzanne <[Suzanne.O'Connor@hugheshubbard.com](mailto:Suzanne.O'Connor@hugheshubbard.com)>; Taylor, Justin <[justin.taylor@hugheshubbard.com](mailto:justin.taylor@hugheshubbard.com)>;

'Jonathan Miller' <[jmiller@hgdllawfirm.com](mailto:jmiller@hgdllawfirm.com)>; Dabney, James W. <[james.dabney@hugheshubbard.com](mailto:james.dabney@hugheshubbard.com)>; Russo, Lynn

<[lynn.russo@hugheshubbard.com](mailto:lynn.russo@hugheshubbard.com)>; Polka, Michael <[michael.polka@hugheshubbard.com](mailto:michael.polka@hugheshubbard.com)>

**Subject:** RE: Squarespace / DataCloud

**CAUTION: This email was sent by someone outside of the Firm.**

Jim – we appreciate your agreement to an extension. How about DataCloud getting a 21-day extension to amend the complaint so they can be as thorough as possible and not seek leave for any further amendments, and Squarespace will then get a 30-day extension to answer? If you're in agreement with that, I'll have DataCloud's attorneys prepare the stipulation paperwork.

Regards,

Bill

**From:** Klaiber, James R. <[james.klaiber@hugheshubbard.com](mailto:james.klaiber@hugheshubbard.com)>  
**Sent:** Wednesday, May 12, 2021 8:14 AM  
**To:** Bill Hartselle <[bhartselle@ipigrp.com](mailto:bhartselle@ipigrp.com)>  
**Cc:** James F. McDonough, III <[jmcdonough@hgdllawfirm.com](mailto:jmcdonough@hgdllawfirm.com)>; Michael McLaughlin <[mmclaughlin@ipigrp.com](mailto:mmclaughlin@ipigrp.com)>; O'Connor, Suzanne <[Suzanne.O'Connor@hugheshubbard.com](mailto:Suzanne.O'Connor@hugheshubbard.com)>; Taylor, Justin <[justin.taylor@hugheshubbard.com](mailto:justin.taylor@hugheshubbard.com)>; 'Jonathan Miller' <[jmiller@hgdllawfirm.com](mailto:jmiller@hgdllawfirm.com)>; Dabney, James W. <[james.dabney@hugheshubbard.com](mailto:james.dabney@hugheshubbard.com)>; Russo, Lynn <[lynn.russo@hugheshubbard.com](mailto:lynn.russo@hugheshubbard.com)>; Polka, Michael <[michael.polka@hugheshubbard.com](mailto:michael.polka@hugheshubbard.com)>; Klaiber, James R. <[james.klaiber@hugheshubbard.com](mailto:james.klaiber@hugheshubbard.com)>  
**Subject:** RE: Squarespace / DataCloud

Bill,

We disagree that your email puts Squarespace "on notice" of anything other than DataCloud's intent to file an amended complaint.

That said, Squarespace does not oppose a nominal 15-day extension (i.e. from May 21 to June 7, 2021) to DataCloud's time for amending its complaint. We request, however, that Squarespace have a similar extension to respond. In view of the Independence Day holiday weekend, we request an additional 21 days to respond to DataCloud's amended complaint (i.e. from June 21 to July 12, 2021). If this is agreeable to DataCloud, please prepare a stipulation for our review.

Regards,

Jim

**James R. Klaiber** | Counsel

**Hughes Hubbard & Reed LLP**

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**From:** Bill Hartselle <[bhartselle@ipigrp.com](mailto:bhartselle@ipigrp.com)>  
**Sent:** Tuesday, May 11, 2021 3:32 PM  
**To:** Klaiber, James R. <[james.klaiber@hugheshubbard.com](mailto:james.klaiber@hugheshubbard.com)>  
**Cc:** James F. McDonough, III <[jmcdonough@hgdllawfirm.com](mailto:jmcdonough@hgdllawfirm.com)>; Michael McLaughlin <[mmclaughlin@ipigrp.com](mailto:mmclaughlin@ipigrp.com)>; O'Connor, Suzanne <[Suzanne.O'Connor@hugheshubbard.com](mailto:Suzanne.O'Connor@hugheshubbard.com)>; Taylor, Justin <[justin.taylor@hugheshubbard.com](mailto:justin.taylor@hugheshubbard.com)>; 'Jonathan Miller' <[jmiller@hgdllawfirm.com](mailto:jmiller@hgdllawfirm.com)>  
**Subject:** RE: Squarespace / DataCloud

**CAUTION: This email was sent by someone outside of the Firm.**

Jim – I'm following up on DataCloud's request from last week for a 15-day extension of the deadline to file the amended complaint.

Regards,  
Bill

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**From:** Bill Hartselle  
**Sent:** Wednesday, May 5, 2021 2:06 PM  
**To:** Klaiber, James R. <[james.klaiber@hugheshubbard.com](mailto:james.klaiber@hugheshubbard.com)>  
**Cc:** James F. McDonough, III <[jmcdonough@hgdllawfirm.com](mailto:jmcdonough@hgdllawfirm.com)>; Michael McLaughlin <[mmclaughlin@ipigrp.com](mailto:mmclaughlin@ipigrp.com)>; O'Connor, Suzanne <[Suzanne.O'Connor@hugheshubbard.com](mailto:Suzanne.O'Connor@hugheshubbard.com)>; Taylor, Justin <[justin.taylor@hugheshubbard.com](mailto:justin.taylor@hugheshubbard.com)>  
**Subject:** RE: Squarespace / DataCloud

Jim:

We noticed you filed an answer on behalf of Squarespace last week. DataCloud's legal team is reviewing.

As previously mentioned, our technical / legal review of the DataCloud patent portfolio continues as it relates to Squarespace's products/services. This continuing review has now identified **4 additional patents** (three of which are still active, the last of which expires on 6/12/2024) that Squarespace infringes:

- US Patent No. 7,139,780 – System and method for synchronizing files in multiple nodes
  - *Claim 1 – Squarespace system for receiving web site edits at first servers and publishing/distributing content to second/web servers:* <https://support.squarespace.com/hc/en-us/articles/360002088548#publish>
- US Patent No. 7,398,298 – Remote access and retrieval of electronic files
  - *Claim 1 – Squarespace system for managing multiple sites and “contributors” from a single account:* <https://support.squarespace.com/hc/en-us/articles/205810458-Managing-multiple-sites>
- US Patent No. 7,246,351 – System and method for deploying and implementing software applications over a distributed network
  - *Claim 1 – Squarespace Smartphone Apps for editing and viewing hosted web sites:* <https://play.google.com/store/apps/details?id=com.squarespace.android.squarespaceapp>
- US Patent No. 7,209,959 – Apparatus, system, and method for communicating to a network through a virtual domain providing anonymity to a client communicating on the network
  - *Claim 1 – Squarespace network architecture for hosting multiple web sites:* <https://engineering.squarespace.com/blog/2017/the-pillars-of-squarespace-services>

DataCloud will prepare an amended complaint to add these patents (for a total of 8 patents-in-suit) but wanted to put Squarespace on notice promptly.

DataCloud would like a 15-day extension of the deadline to file the amended complaint. Please let us know if Squarespace agrees to this short extension.

Regards,  
Bill